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Douglas R. Peterson

Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/729,622
Applicant : Mark E. Deem, Douglas S. Sutton, Hanson S. Gifford III, Bernard H. Andreas, Ronald G. French
Filed : December 5, 2003
Art Unit : 3734
Examiner : Michael T. Andersen
Title : OBESITY TREATMENT TOOLS AND METHODS

Docket No.: : SATTY 69233
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

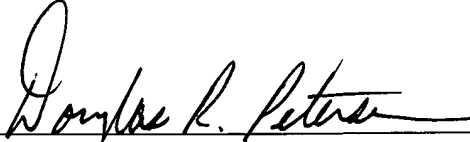
The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97(c) (2). A copy of each of the listed foreign documents and articles is enclosed.

10/16/2006 WABDELRI 00000045 10729622
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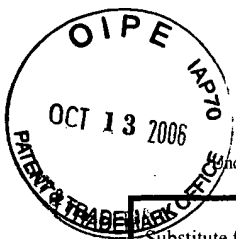
The petition fee set forth in 37 C.F.R. § 1.17(p) of \$180 is enclosed. Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 06-2425. A duplicate copy of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

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Customer No. 24201
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Substitute for form 1449A/PTO				Complete if Known				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/729,622			
				Filing Date	December 5, 2003			
				First Named Inventor	Deem et al.			
				Art Unit	3734			
				Examiner Name	Michael T. Andersen			
Sheet	1	of	20	Attorney Docket Number	SATTY-69233			
U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No ¹	Document Number Number Kind Code ² (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		2,108,206		02-15-1938	Meeker			
		2,508,690		07-13-1948	Schmerl			
		3,372,443		02-16-1967	D. J. Daddona Jr.			
		3,395,710		08-06-1968	Stratton et al.			
		3,986,493		10-19-1976	Hendren, III			
		4,057,065		11-08-1977	Thow			
		4,063,561		12-20-1977	McKenna			
		4,133,315		01-09-1997	Berman et al.			
		4,134,405		01-16-1979	Smit			
		4,198,982		04-22-2980	Fortner et al..			
		4,246,893		01-27-1981	Berson			
		4,258,705		03-31-1981	Sorensen et al.			
		4,315,509		02-16-1982	Smit			
		4,343,066		08-19-1982	Lance			
		4,416,267		11-22-1983	Garren et al.			
		4,458,681		07-10-1984	Hopkins			
		4,485,805		12-04-1984	Foster, Jr.			
		4,501,264		02-26-1985	Rockey			
		4,558,699		12-17-1985	Bashour			
		4,592,339		06-03-1986	Kuzmak et al.			
		4,592,354		06-03-1986	Rothfuss			
		4,598,699		07-08-1986	Garren et al.			
		4,607,618		08-26-1986	Angelchik			
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Examiner Initials*	Cite No ¹	Foreign Patent Document Office ³ Number ⁴ Kind ⁵ (if known)			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		WO	1994/18893	A1	09-01-1994	Fitton et al.		
		WO	1999/17662	A1	04-15-1999	Wilson-Cook Medical		
		WO	2000/32137	A1	06-08-2000	Dua et al.		
		WO	2000/48656	A1	08-24-2000	Boston Scientific Corp.		
		WO	2001/66018	A1	09-13-2001	C.R. Bard Inc.		
Examiner Signature					Date Considered			

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		Number	Kind Code ² (if known)						
		4,636,205		01-13-1987	Steer				
		4,641,653		02-10-1987	Rockey				
		4,643,169		02-17-1987	Koss et al.				
		4,646,722		03-03-1987	Silverstein et al.				
		4,648,383		03-10-1987	Angelchik				
		4,671,287		06-09-1987	Fiddian-Green				
		4,694,827		09-22-1987	Weiner et al.				
		4,716,900		01-05-1988	Ravo et al.				
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		4,773,393		09-27-1988	Haber et al.				
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		4,899,747		02-13-1990	Garren et al.				
		4,905,693		03-06-1990	Ravo				
		4,925,446		05-15-1990	Garay et al.				
		4,927,428		05-22-1990	Richards				
		4,969,474		11-13-1990	Schwarz				
FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)					
		WO	2001/67964	A2	09-20-2001	Medigus Ltd.			
		WO	2002/35980	A2	05-10-2002	Satiety, Inc.			
		WO	2002/071951	A1	09-19-2002	Alvarez			
		WO	2002/091961	A1	11-21-2002	Hashiba et al.			
		WO	2003/017882	A2	03-06-2003	Synecor, LLC			
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		Number	Kind Code ² (if known)						
		5,059,193		10-22-1991	Kuslich				
		5,080,663		01-14-1992	Mills et al.				
		5,084,061		01-28-1992	Gau et al.				
		5,112,310		05-12-1992	Grobe				
		5,129,915		07-14-1992	Cantenys				
		5,171,233		12-15-1992	Amplatz et al.				
		5,197,649		03-30-1993	Bessler et al.				
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		5,226,429		07-13-1993	Kuzmak				
		5,234,454		08-10-1993	Bangs				
		5,246,456		09-21-1993	Wilkinson				
		5,250,058		10-05-1993	Miller et al.				
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		5,259,399		11-09-1993	Brown				
		5,261,920		11-16-1993	Main et al.				
		5,263,629		11-23-1993	Trumbull et al.				
		5,297,536		03-29-1994	Wilk				
		5,301,658		04-12-1994	Zhu et al.				
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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)					
		WO	2003/078721	A2	09-25-2003	Sauer			
		WO	2003/086247	A1	10-23-2003	Stack et al.			
		WO	2003/088844	A1	10-30-2003	Zubik et al.			
		WO	2003/094785	A1	11-20-2003	Egan			
		WO	2003/099140	A1	12-04-2003	Kraemer et al.			
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		Number	Kind Code ² (if known)						
		5,306,300		04-26-1994	Berry				
		5,309,896		05-10-1994	Moll et al.				
		5,309,927		05/10/1994	Welch				
		5,331,975		07-26-1994	Bonutti				
		5,334,209		08-02-1994	Yoon				
		5,334,210		08-02-1994	Gianturco				
		5,346,501		09-13-1994	Regula et al.				
		5,376,095		12-27-1994	Ortiz				
		5,403,312		04-04-1995	Yates et al.				
		5,411,508		05-02-1995	Bessler et al.				
		5,433,721		07-18-1995	Hooven et al.				
		5,449,368		09-12-1995	Kuzmak				
		5,452,837		09-26-1995	Williamson, IV et al.				
		5,458,131		10-17-1995	Wilk				
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		Office ³	Number ⁴	Kind ⁵ (if known)					
		WO	2004/009269	A2	01-29-2004	Craig et al.			
		WO	2004/014237	A1	02-19-2004	Gannoe et al.			
		WO	2004/017863	A2	03-04-2004	Bessler			
		WO	2004/019787	A2	03-11-2004	Devries et al.			
		WO	2004/019826	A1	03-11-2004	Cartledge et al.			
		WO	2004/037064	A2	05-06-2004	Satiety, Inc.			
		WO	2004/049911	A2	06-17-2004	Hickle			
		WO	2004/058102	A2	07-15-2004	Imran			
		WO	2004/060150	A1	07-22-2004	Smith et al.			
		WO	2004/087014	A2	10-14-2004	GI Dynamics, Inc.			
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		5,465,894		11-14-1995	Clark et al.			
		5,467,911		11-21-1995	Tsuruta et al.			
		5,486,183		01-23-1996	Middleman et al.			
		5,489,058		02-06-1996	Plyley et al.			
		5,503,635		04-02-1996	Sauer et al.			
		5,535,935		07-16-1996	Vidal et al.			
		5,542,949		08-06-1996	Yoon			
		5,555,898		09-17-1996	Suzuki et al.			
		5,558,665		09-24-1996	Kieturakis			
		5,577,654		11-26-1996	Bishop			
		5,578,044		11-26-1996	Gordon et al.			
		5,588,579		12-31-1996	Schnut et al.			
		5,601,604		02-11-1997	Vincent			
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		WO	2004/103189	A1	12-02-2004	Gambale et al.		
		WO	2005/023118	A1	03-17-2005	Garza Alvarez		
		WO	2005/037152	A1	04-28-2005	Stack et al.		
		WO	2005/058239	A2	06-30-2005	Saadat et al.		
		WO	2005/060882	A1	07-07-2005	Meade et al.		
		WO	2006/078781	A1	07-27-2006	Levine et al.		
		EP	0 137 878	A1	04-24-1985	Garren et al.		
		EP	0 246 999	A1	11-25-1987	Omikron Scientific Ltd.		
		EP	0 540 010	A2	05-05-1993	Bessler et al.		
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		5,639,008		06-17-1997	Gallagher et al.			
		5,649,937		07-22-1997	Bito et al.			
		5,662,664		09-02-1997	Gordon et al.			
		5,662,667		09-02-1997	Knodel			
		5,667,520		09-16-1997	Bonutti			
		5,676,659		10-14-1997	McGurk			
		5,685,868		11-11-1997	Lundquist			
		5,697,943		12-16-1997	Sauer et al.			
		5,707,382		01-13-1998	Sierocuk et al.			
		5,735,848		04-07-1998	Yates et al.			
		5,766,216		06-16-1998	Gangal et al.			
		5,776,054		07-07-1998	Bobra			
		5,788,715		08-04-1998	Watson, Jr. et al.			
		5,797,931		08-25-1998	Bito et al.			
		5,810,855		09-22-1998	Rayburn et al.			
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		JP	63277063	A	11-15-1988	Olympus Optical Co Ltd		
		JP	63279854		11-16-1988	Olympus Optical Co Ltd		
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Substitute for form 1449A/PTO				Complete if Known					
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/729,622				
				Filing Date	December 5, 2003				
				First Named Inventor	Deem et al.				
				Art Unit	3734				
				Examiner Name	Michael T. Andersen				
(use as many sheets as necessary)				Attorney Docket Number	SATTY-69233				
Sheet	7	of	20						
U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		Number	Kind Code ² (if known)						
		5,816,471		10-06-1998	Plyley et al.				
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		5,921,993		07-13-1999	Yoon				
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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)					
		JP	63302863	A	12-09-1988	Olympus Optical Co Ltd			
		JP	01049572	A	02-27-1989	Olympus Optical Co Ltd			
		JP	04297219		10-21-1992	Norikazu Hattori			
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		Number	Kind Code ² (if known)					
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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
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Substitute for form 1449A/PTO				Complete if Known				
				Application Number		10/729,622		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date		December 5, 2003		
				First Named Inventor		Deem et al.		
				Art Unit		3734		
				Examiner Name		Michael T. Andersen		
(use as many sheets as necessary)				Attorney Docket Number		SATY-69233		
Sheet	14	of	20					
U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code ² (if known)					
		2003/0132267 A1		07-17-2003	Adams et al.			
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		2004/0122526 A1		06-24-2004	Imran			
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Application Number		10/729,622					
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First Named Inventor		Deem et al.					
Art Unit		3734					
Examiner Name		Michael T. Andersen					
Attorney Docket Number		SATTY-69233					

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/729,622
				Filing Date	December 5, 2003
				First Named Inventor	Deem et al.
				Group Art Unit	3734
				Examiner Name	Michael T. Andersen
Sheet	18	of	20	Attorney Docket Number	SATTY-69233
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No ¹ .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
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Sheet	19	of	20		
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					Attorney Docket Number	SATTY-69233
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS						
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		Swain, C. Paul, M.D. et al., <i>An Endoscopic Sewing Machine</i> , <u>Gastrointestinal Endoscopy</u> , Vol. 32, No. 1 pp 36-38 1986				
		Swain, C. Paul, M.D., <i>Endoscopic Sewing And Stapling Machines</i> , <u>Endoscopy</u> pp. 205-210, © Georg Thieme Verlag Stuttgart, New York, 1997				
		Swain, C. Paul, M.D. et al., <i>An Endoscopic Stapling Device: The Development Of A New Flexible Endoscopically Controlled Device For Placing Multiple Transmural Staples In Gastrointestinal Tissue</i> , <u>Gastrointestinal Endoscopy</u> , Vol. 35, No. 4, pp. 338-339, 1989				
		Swain, C. Paul, M.D., <i>Endoscopic Suturing</i> , <u>Bailliere's Clinical Gastroenterology</u> , Bailliere's Tindall, Vol. 13 No. 1, pp 97-108, 1999				
		Taylor, T. Vincent, et al., <i>Gastric Balloons for Obesity</i> , <u>The Lancet</u> , Abstract, March 27, 1982				
		Vandenplas, Y., et al., <i>Intragastric Balloons in Adolescents With Morbid Obesity</i> , <u>European Journal of Gastroenterology & Hepatology</u> , Vol. 11, No. 3, pp. 243-245, 1999				
		Wullstein, C., et al., <i>Compression Anastomosis (AKA-2) in Colorectal Surgery: Results in 442 Consecutive Patients</i> , <u>British Journal of Surgery</u> 2000, pp. 1071-1075				
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